

### **REMARKS**

The Applicants appreciate the thoroughness with which the subject application has been examined. By this amendment, claims 1, 4, 6, 17, 22 and 33 have been amended to overcome the Examiner's rejections and more concisely claim and describe the present invention. New claim 34 has been added. Claims 1-34 remain in the application for reconsideration by the Examiner. The Examiner's allowance of all pending claims is earnestly solicited.

### **MATTERS RELATED TO THE SPECIFICATION**

The Applicants have identified three typographical informalities in the specification and propose to correct those informalities as indicated above in the marked-up specification paragraphs.

### **MATTERS RELATED TO THE CLAIMS**

Within the first claim set comprising claims 1-16, claims 1, 3-6, 8, 13 and 15 stand rejected under Section 102(b) as anticipated by Kelly (6,654,689). Claim 2 stands rejected under Section 103(a) as unpatentable over Kelly in view of Harrison (6,209,132). Claims 7, 14 and 16 stand rejected under Section 103(a) as unpatentable over Kelly in view of Foust (6,240,369). Claims 9-12 stand rejected under Section 103(a) as unpatentable over Kelly in view of Baron (6,275,774).

To further define the invention over the cited prior art, the Applicants have amended claim 1 as set forth above in the marked-up version of the claim. In particular, the Applicants have added a new third claim paragraph and modified the fourth claim paragraph as follows, "providing weather products to a plurality of broadcast sites; and transmitting the weather products from the plurality of broadcast sites coincident with the broadcast of a radio frequency signal for receiving at the mobile vehicle, wherein the mobile vehicle receives updated weather products from different ones of the plurality of broadcast stations as the mobile vehicle traverses a path." Support for these claim amendments is found in the specification at paragraph [032].

Kelly discloses, "a system and method for generating storm warnings which are precisely tailored automatically for a particular individual or business user's geographic location of interest." Further, "the user may define a particular location of interest . . . and a contact address

. . . to which a personalized storm warning is to be delivered.” Kelly further discloses, “a personalized storm warning is automatically generated.”

Thus it can be appreciated that Kelly is inapposite as it relates specifically to storm warnings for a predetermined geographic location. Kelly does not disclose or suggest, “transmitting the weather products from a plurality of broadcast sites,” so that the mobile vehicle can receive, “updated weather products as the mobile vehicle traverses a path.” Thus claim 1 as amended is patentably distinct from Kelly.

Further, it is respectfully submitted that there is no disclosure, suggestion, motivation or inference in any of the cited patents that would render the Applicants’ invention as set forth in amended claim 1 obvious under Section 103(a). Foust discloses, “transmitting location-specific weather-related data to terminals within a plurality of terminal regions.” Clearly, since the mobile vehicle of the Applicants’ invention is in motion, location-specific weather-related data would be of no value. Baron also discloses providing real-time site-specific weather information, which again is not useful for a mobile vehicle as it traverses along a path. None of the cited references are faced with the problem that the Applicants have solved, that is, providing up-dated weather information to a vehicle traversing a path.

As to rejected dependent claims 2-16, the Applicants contend that each of these claims, depending directly or indirectly from amended claim 1, includes one or more elements that further distinguish the invention over the art of record. In particular, claim 6 claims, “the weather products comprise weather information for the geographical area proximate the broadcast station.” Claim 8 claims a “map . . . stored within the data storage device for display in conjunction with real time receipt of the weather products.” Claim 12 claims, “adaptive compression of the data bit stream is responsive to the generation rate and the number of data bits in the weather products.” Claims 13 and 14 claim certain features related to service packs to which weather products are assigned. These claims should therefore be in condition for allowance.

As to the basis for combining Kelly and Harrison in the rejection of claim 2, there is no motivation expressed in either Kelly or Harrison for such a combination. Kelly relates to a system and method for providing personalized storm warnings tailored for a particular geographical location. Harrison discloses use of the vertical blanking interval of a television

broadcast to transmit ancillary services, such as a program guide or stock quotes. There is no disclosure or suggestion in either reference of the desirability of making such a combination nor any specifics as to how they would be combined. Absent knowledge of the Applicants' invention, one would not consult this combination of references since Harrison is not related to transmission of weather information. Further, the method that results from the Examiner's proposed combination does not disclose the elements of Applicants' claim 2.

Although there may be certain common elements in Kelly and Foust and in Kelly and Baron, none of these references discloses a basis for making the proposed combinations. Nor is the Applicant's invention as set forth in dependent claims 7, 14 and 16 with respect to the combination of Kelly and Foust, and as set forth in dependent claims 9-12 with respect to the combination of Kelly and Baron disclosed by the proposed combination.

Within the second claim set comprising claims 17-21, claims 17, 18 and 20 stand rejected under Section 102(b) as anticipated by Kelly. Claim 19 stands rejected under Section 103(a) as unpatentable over Kelly in view of Baron. Claim 21 stands rejected under Section 103(a) as unpatentable over Kelly in view of Foust.

To further define the invention over the cited prior art, the Applicants have amended independent claim 17 as set forth above in the marked-up version of the claim. In particular, the Applicants have amended the last paragraph as follows, "transmitting the weather products as one or more of text and graphics from base stations of a cellular telephone communications system, wherein the mobile vehicle receives updated weather products as the mobile vehicle traverses a path." Support for these claim amendments is found in the specification at paragraph [048].

Although Kelly refers to transmissions via a cellular telephone system, for example at lines 50 and 51 of column 4, Kelly does not disclose nor fairly suggest transmissions to a mobile vehicle traversing a path, i.e., "transmitting the weather products as one or more of text and graphics from base stations of a cellular telephone communications system, wherein the mobile vehicle receives updated weather products as the mobile vehicle traverses a path."

As to rejected dependent claims 18-21, the Applicants contend that each of these claims, depending directly or indirectly from amended claim 17, includes one or more elements that

further distinguish the invention over the art of record. It is respectfully submitted that these claims should therefore be in condition for allowance.

As discussed above, the Applicants further contend that there is no motivation for combining Kelly and Baron and Kelly and Foust, nor do the proposed combinations disclose the as set forth in claims Claim 19 with respect to the combination of Kelly and Baron., and with respect to claim 21 with respect to the combination of Kelly and Foust.

Within the third claim set comprising claims 22-32, claims 22-32 stand rejected under Section 102(b) as anticipated by Kelly.

To further define the invention over the cited prior art, the Applicants have amended independent claim 22 as set forth above in the marked-up version of the claim. In particular, the Applicants have amended the preamble to refer to a mobile vehicle and a plurality of broadcast stations. The first claim paragraph has been amended to read, “a receiver for receiving the signals from different ones of the plurality of broadcast stations as the mobile vehicle traverses a path, wherein the signals comprise updated weather products.” Support for these claim amendments is found in the specification at paragraph [032].

The Applicants’ invention as set forth in amended claim 22 is patentably distinct from Kelly, which relates specifically to storm warnings for a particular geographic location as discussed above. Kelly does not disclose or suggest, “a receiver for receiving the signals from different ones of the plurality of broadcast stations as the mobile vehicle traverses a path, wherein the signals comprise updated weather products.” Thus claim 22 as amended is patentably distinct from Kelly.

Further, it is respectfully submitted that there is no disclosure, suggestion, motivation or inference in any of the cited patents or combinations thereof that would render the Applicants’ invention as set forth in amended claim 22 obvious under Section 103(a).

As to rejected dependent claims 23-32, the Applicants contend that each of these claims, depending directly or indirectly from amended claim 22, includes one or more elements that further distinguish the invention over the art of record and should therefore be in condition for allowance.

Claim 33 has been rejected under Section 102(b) as anticipated by Kelly.

To further define the invention over the cited prior art, the Applicants have amended independent claim 33 as set forth above in the marked-up version of the claim. In particular, the Applicants have amended the second paragraph as follows, “a receiver adapted for operation within the mobile vehicle, the receiver for receiving the signals transmitted from different cellular base stations of the cellular network as the mobile vehicle traverses a path, such that mobile vehicle receives updated weather products during traversal of the path.” Paragraph [048] supports this claim amendment.

This amended claim is now believed patentable over Kelly, which discloses storm warnings for a particular geographic location. Kelly does not disclose or suggest, “a receiver adapted for operation within the mobile vehicle, the receiver for receiving the signals transmitted from different cellular base stations of the cellular network as the mobile vehicle traverses a path, such that mobile vehicle receives updated weather products during traversal of the path.”

Further, it is respectfully submitted that there is no disclosure, suggestion, motivation or inference in any of the cited patents or their combinations that render the Applicants’ invention as set forth in amended claim 33 obvious under Section 103(a).

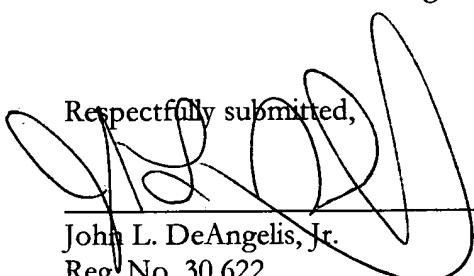
New claim 34 has been added as set forth above. This claim relates to, “each one of the updated weather products describe[ing] weather conditions proximate each one of the plurality of broadcast stations such that the mobile vehicle receives weather products related to a region of its path proximate each one of the plurality of broadcast stations.” Support for this claim can be found in the specification as originally submitted at paragraph [0027].

None of the cited art discloses, suggests or even hints at the invention as set forth in new claim 34. Thus the claim is believed to be allowable.

The Applicants have attempted to comply with all of the points raised in the Office Action and it is believed that the remaining claims in the application, i.e., claims 1-34 are now in condition for allowance. In view of the foregoing amendments and discussion, it is requested that the Examiner's claim rejections have been overcome. It is respectfully requested that the Examiner reconsider these rejections and objections and issue a Notice of Allowance for all the claims pending in the application.

If a telephone conference will assist in clarifying or expediting this Amendment or the claim changes made herein, the Examiner is invited to contact the undersigned at the telephone number below.

Respectfully submitted,

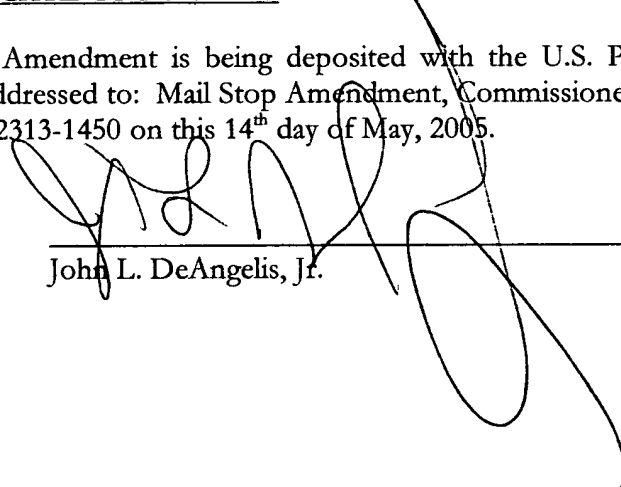


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CERTIFICATE OF MAILING

I HEREBY CERTIFY that this Amendment is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 14<sup>th</sup> day of May, 2005.



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John L. DeAngelis, Jr.